

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

SMITH, REEVES & YARBOROUGH, PLLC

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:05cv728-HTW-JCS

ASSURANCE COMPANY OF AMERICA

DEFENDANT

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ORDER OF DISMISSAL

THE PARTIES having agreed to and announced to the Court a settlement of this case, and the Court being desirous that this matter be finally closed on its docket,

IT IS, THEREFORE, ORDERED that this case is hereby DISMISSED WITH PREJUDICE as to all parties. If any party fails to consummate this settlement within thirty (30) days, any aggrieved party may reopen the case for enforcement of the settlement agreement within ten (10) days; and, if successful, all additional attorneys' fees and costs from this date shall be awarded such aggrieved party or parties against the party failing to consummate the agreement.

This settlement agreement constitutes a global release as to all claims and as to all parties with prejudice.

SO ORDERED, this the 7<sup>th</sup> day of April, 2006.

  
UNITED STATES MAGISTRATE JUDGE